

REMARKS

Claims 29-31 and 33-44 are pending, wherein claims 29 and 43 have been amended. Claim 32 was cancelled and new claim 44 was added in order for Applicants to more particularly claim what they regard as their invention. Reconsideration and allowance for the above-identified application are now respectfully requested in view of the foregoing amendments and the following remarks.

The Office Action indicates that claims 35-41 and 43 are allowed and that claim 32 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Accordingly, Applicants have amended independent claim 29 in order to incorporate the elements recited in claim 32. Because there were duplications in certain elements as between claim 29 and claim 32, with more general elements of claim 29 being recast with more specificity in claim 32, Applicants took some liberty in amending claim 29 in an effort to eliminate redundancies. Otherwise, claim 29 includes virtually verbatim the elements recited in claim 32 as previously presented. Claim 29 also specifies that the four tensioned suture strands or groups of tensioned suture strands extend away from a bone tunnel in four spaced apart quadrants adjacent to a bone tunnel, as shown in Figures 7-9. Applicants trust that this language is sufficiently descriptive of what is shown in the figures and continues to distinguish over the art of record. Applicants believe that it would be less accurate and more confusing to define the four spaced apart quadrants as being on either side of the bone tunnel. In the event the Examiner would like to propose alternative claim language, Applicants request the Examiner to contact the undersigned attorney.

While claim 43 was indicated in the Office Action as being allowable, Applicants have nevertheless amended this claim in order to maintain proper antecedent basis. In particular, claim 43 as previously presented included to the term "said body means" even though there was no previous instance of the term "body means" or "a body means". Instead, Applicants changed "said body means" to "said composite body structure", which is in fact introduced previously in the claim. Applicants trust that this amendment is acceptable and does not alter the previous finding that claim 43 is patentable over the art of record.

Finally, Applicants added new independent claim 44. Claim 44 is substantially similar to allowed claim 35 except that claim 44 does not recite means plus function claim language. Instead, the "tensioning means" of claim 35 was changed to "tensioning apparatus" in claim 44;

the "means for removably attaching said graft tensioning device ..." was changed to "a plurality of posts"; the "body means" of claim 35 was changed to "body" in claim 44; and the "attachment means" of claim 35 have been replaced with the structure recited in claim 39. Applicants submit that new claim 44 is patentable over the art of record for substantially the same reasons for why claim 35 was deemed to be patentable.

In the event the Examiner finds any remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview or which may be overcome by Examiner amendment, the Examiner is requested to contact the undersigned attorney.

The Commissioner is hereby authorized to charge payment of any of the following fees that may be applicable to this communication, or credit any overpayment, to **Deposit Account No. 23-3178**: (1) any filing fees required under 37 CFR § 1.16; (2) any patent application and reexamination processing fees under 37 CFR § 1.17; and/or (3) any post issuance fees under 37 CFR § 1.20. In addition, if any additional extension of time is required, which has not otherwise been requested, please consider this a petition therefore and charge any additional fees that may be required to **Deposit Account No. 23-3178**.

Dated this 27th day of August 2009.

Respectfully submitted,



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